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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|-----------------------|---------------------|------------------|
| 09/422,593 | 10/21/1999 | LEONARD CORNING LAHEY | B09-99-028 | 5731 |

7590 03/30/2004

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EXAMINER

BOYCE, ANDRE D

| ART UNIT | PAPER NUMBER |
|----------|--------------|
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3623

DATE MAILED: 03/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Applicati n N .

09/422,593

Applicant(s)

LAHEY ET AL.

Examin r

Andre Boyce

Art Unit

3623

--The MAILING DATE of this communication appears n th cover sheet with the correspondence address --

THE REPLY FILED 01 March 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
 - (b) ☐ they raise the issue of new matter (see Note below);
 - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: 7-9, 12, 20-22, 25, 33-35 and 38.Claim(s) objected to: 3, 10, 11, 16, 23, 24, 29, 36 and 37.Claim(s) rejected: 1, 2, 4-6, 13-15, 17-19, 26-28, 30-32 and 39.

Claim(s) withdrawn from consideration: _____.

8. ☐ The drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s).
10. ☐ Other: _____

TARIQ R. HAFIZ
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600

Continuation of 5. does NOT place the application in condition for allowance because: of at least the following. With respect to independent claims 1, 14, and 27 Applicant maintains that Yosefi does not disclose customer preferences. The Examiner disagrees and resubmits that page size is indeed a customer preference. Further, deadline date is also a customer preference, if not a requirement. In addition, the artwork design and production system of Yosefi (figure 3) includes the pre-press artwork of figure 1 (column 6, lines 45-48), which is the customer product. The customer record stored in database 121 includes a title or job number which is the pre-press artwork job (i.e., customer product) to be completed. Lastly, the output data files 127 are stored in the record of the job ticket database (column 9, lines 16-18) and the artwork designer is indeed the "customer" of the production shop.

Applicant also maintains that Yosefi does not teach or suggest the operations of the first worker. The Examiner disagrees and submits that the workers in Yosefi are invoked when it is time to perform their respective operations listed in the workflow (column 8, lines 1-3). In Yosefi, generating output material from processing the product and customer preference fields in the customer record is an operation performed by the production shop workers via the artwork preparation devices.